

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 1353 OF 2009
(Arising out of SLP (CIVIL) No. 9379/2006)

State of Haryana & Ors.

.. Appellant(s)

Versus

Daljeet Singh

.. Respondent(s)

ORDER

No one appears for the respondent.

Leave granted.

We find that the issue raised in this appeal, viz, whether the respondent is entitled to get the ACP Scale, is no more *res integra*. Admittedly, the same question was considered by this Court in C.A. No. 3250 of 2006 (Commissioner and Secretary to Government of Haryana & Ors. vs. Ram Sarup Ganda & Ors.) and connected matters. Vide judgment and order dated August 02, 2006 reported in 2006 (12) SCALE 440, the appeals filed by the State have been partly allowed with the following directions :

"In the result, all the appeals are partly allowed. The appellants shall revise the pay scales of the respondents. In case of any anomaly, if the employees who, on fixation of ACP scales, are in receipt of lesser salary than their juniors in the same cadre/post, then their salary shall be stepped up accordingly. Revised orders shall be passed within a period of two months of the receipt of the copy of this Order by the Government. However, if upon revision of the pay-scales, any employee is liable to refund any

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amount, the Government shall not insist on refund of such amount. If any employee is entitled to get any amount by way of pay revision, the said amount shall be made available to him within a period of six months from the date of receipt of the copy of this order by the Government.

Consequently, the appeals are partly allowed with no order as to costs."

Learned counsel for the appellants submits that the said decision squarely applies to the facts in hand. In that view of the matter, this appeal is partly allowed in terms of the afore-noted judgment. No order as to costs.

.....J.

[D.K. JAIN]

.....J.

[R.M.

LODHA]

NEW DELHI,
MARCH 02, 2009.